



January 8, 2013

**I do hereby certify that in accordance with the requirements of 23 CFR 635.411(a)(2), no equally suitable alternate exists for this patented or proprietary item.**

Mr. Chad Zickefoose, P.E.  
Missouri Department of Transportation  
3025 E. Kearney  
Springfield, MO 65803

*Kathryn P. Harvey 1-15-13*  
**Kathryn P. Harvey, State Design Engineer**

Subject: Request for Public Interest Finding  
Boonville Avenue Streetscape Phase 4 – Project STP-5910(806)

Dear Mr. Zickefoose:

The City of Springfield requests approval of a finding in the public interest for the following proprietary item listed on the drawings and contract documents, namely:

- Appendix C, CU Structural Soil

Cornell University was granted a US Patent (5849069) because there was no comparable product that promotes the growth of street trees to their full potential and minimizes damage to paved surfaces. The granting of the patent was based on years of research, trials and scientific data that has proven the success for CU-Soil. CU-Soil minimizes sidewalk heaving and hardscape damage that could otherwise cause the need for replacement at high cost and pedestrian incidents with related potential of lawsuits. CU-soil allows trees to grow to their full potential in the street environment instead of stunted growth and short life spans typical with other soil mixtures. The larger mature trees provide better appearance, increased shade, decreased heat, reduced storm water runoff, and improved air quality. CU-Soil has been used in a number of projects in the City of Springfield with good success. The city does not know of any comparable commercially available product.

We request a public interest finding for the CU-Soil mixture so that this item may remain eligible for federal reimbursement. A precedent was set with the PIF for the same element within the Park Central East & West Streetscape project in Springfield, MO, (STP-5905(807)) on August 6, 2010, the Boonville Avenue Phase 1 North Streetscape project in Springfield, MO, (STP-5900(839)) on November 22, 2010, and both the Commercial Street Phase 4 Streetscape project in Springfield, MO, (STP-9900(886)) and the Boonville Avenue Phase 2 North Streetscape project in Springfield, MO, (STP-9900(885)) on October 20, 2011, .

Sincerely,

*Paula Brookshire*

Paula Brookshire, P.E.  
Professional Engineer

**DEPARTMENT OF PUBLIC WORKS**

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